

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

FILED
IN CLERK'S OFFICE
U.S. DISTRICT COURT E.D.N.Y.
★ DEC 20 2012 ★

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ANDRE K. ANTROBUS

Plaintiff,

-against-

CITY OF NEW YORK, DEPT OF SANITATION,

Defendants.
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BROOKLYN OFFICE
NOT FOR PUBLICATION
MEMORANDUM & ORDER
11-cv-5434 (CBA) (LB)

AMON, Chief United States District Judge:

On August 15, 2012, Magistrate Judge Lois Bloom issued a Report and Recommendation ("R&R") recommending that the Court (1) grant defendant's motion to dismiss pursuant to Fed. R. Civ. P. 8(a), and (2) grant plaintiff 30 days leave to amend his complaint. On August 31, 2012, the Court received a submission from pro se plaintiff Andre Antrobus objecting to Magistrate Judge Bloom's R&R. Having reviewed de novo those parts of the R&R to which Antrobus has objected, Arista Records, LLC v. Doe 3, 604 F.3d 110 (2d Cir. 2010), the Court now adopts the R&R as the Decision and Order of this Court. Accordingly, the defendants' motion to dismiss is granted in its entirety. Plaintiff has until January 21, 2013 to file an amended complaint.

As set forth in the R&R, this amended complaint will completely replace the original complaint and must specify the facts underlying plaintiff's claims. Plaintiff may not simply rely on the documents appended to his original complaint. Additionally, plaintiff may only bring claims that are timely and that have been raised to the relevant administrative agency. Plaintiff should consult the directions set forth in the R&R and the Manual for Pro Se Litigants (see <https://www.nyed.uscourts.gov/pro-se-manuals>) for how to properly amend his complaint.

SO ORDERED.

Dated: Brooklyn, New York
December 20, 2012

/S/ Chief Judge Amon


Carol Bagley Amon
Chief United States District Judge